

## **Assembly Bill No. 982**

### **CHAPTER 320**

An act to amend Section 76355 of the Education Code, relating to community colleges.

[Approved by Governor September 22, 2005. Filed with  
Secretary of State September 22, 2005.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

AB 982, Laird. Community colleges: fees.

Under existing law, community college district governing boards are required to adopt regulations exempting from health supervision and services fees all low-income students, including students who demonstrate financial need (1) in accordance with the methodology set forth in federal law or regulation for determining the expected family contribution of students seeking financial aid or (2) according to specified income standards established by the Board of Governors of the California Community Colleges.

This bill would express findings and declarations of the Legislature with respect to the funding of student health services in the California Community Colleges. The bill would delete the provision requiring the exemption of certain students from health supervision and services fees.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares all of the following:

(a) Student health promotes student success. Colleges and universities in California appropriately provide student health services as part of their overall student service programs. These services help to protect both the students' and the state's investment in higher education.

(b) The California Community Colleges system does not have sufficient funds to provide adequate student health services. One source of funding is a student health fee of approximately thirteen dollars (\$13) per term. The available funding is declining due to a rapid increase in the number of students who are not required to pay any enrollment fees or the modest health fee.

(c) Allowing districts to charge a health fee for students who do not pay enrollment fees will provide greater stability for community college health services at this critical time.

SEC. 2. Section 76355 of the Education Code is amended to read:

76355. (a) (1) The governing board of a district maintaining a community college may require community college students to pay a fee in the total amount of not more than ten dollars (\$10) for each semester,

seven dollars (\$7) for summer school, seven dollars (\$7) for each intersession of at least four weeks, or seven dollars (\$7) for each quarter for health supervision and services, including direct or indirect medical and hospitalization services, or the operation of a student health center or centers, or both.

(2) The governing board of each community college district may increase this fee by the same percentage increase as the Implicit Price Deflator for State and Local Government Purchase of Goods and Services. Whenever that calculation produces an increase of one dollar (\$1) above the existing fee, the fee may be increased by one dollar (\$1).

(b) If, pursuant to this section, a fee is required, the governing board of the district shall decide the amount of the fee, if any, that a part-time student is required to pay. The governing board may decide whether the fee shall be mandatory or optional.

(c) The governing board of a district maintaining a community college shall adopt rules and regulations that exempt the following students from any fee required pursuant to subdivision (a):

(1) Students who depend exclusively upon prayer for healing in accordance with the teachings of a bona fide religious sect, denomination, or organization.

(2) Students who are attending a community college under an approved apprenticeship training program.

(d) (1) All fees collected pursuant to this section shall be deposited in the fund of the district designated by the California Community Colleges Budget and Accounting Manual. These fees shall be expended only to provide health services as specified in regulations adopted by the board of governors.

(2) Authorized expenditures shall not include, among other things, athletic trainers' salaries, athletic insurance, medical supplies for athletics, physical examinations for intercollegiate athletics, ambulance services, the salaries of health professionals for athletic events, any deductible portion of accident claims filed for athletic team members, or any other expense that is not available to all students. No student shall be denied a service supported by student health fees on account of participation in athletic programs.

(e) Any community college district that provided health services in the 1986–87 fiscal year shall maintain health services, at the level provided during the 1986–87 fiscal year, and each fiscal year thereafter. If the cost to maintain that level of service exceeds the limits specified in subdivision (a), the excess cost shall be borne by the district.

(f) A district that begins charging a health fee may use funds for startup costs from other district funds, and may recover all or part of those funds from health fees collected within the first five years following the commencement of charging the fee.

(g) The board of governors shall adopt regulations that generally describe the types of health services included in the health service program.

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